

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GERRY WILLIAMS,

No. C 04-02409 SI

Plaintiff,

**ORDER DENYING PLAINTIFF'S
REQUEST FOR EXPERT DEPOSITION
FEES**

v.

LIEUTENANT ROSS, et al.,

Defendants.

Plaintiff has requested that the Court order defendants to pay the deposition fees of defendants' experts. The Court has reviewed the expert witness reports prepared by defendants' experts, and finds that the reports are sufficiently detailed so as to provide plaintiff with a fair basis for cross-examination. The Court concludes that under the circumstances of this case, there is no "manifest injustice" warranting an order that defendant pay for the fees and expenses associated with the depositions of defendants' experts. *See* Fed. R. Civ. Proc. 26(b)(4)(C); *cf. Reed v. Binder*, 165 F.R.D. 424 (D.N.J. 1996). Plaintiff may proceed with these depositions, but at his own expense.

IT IS SO ORDERED.

Dated: October 10, 2006



SUSAN ILLSTON
United States District Judge